Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~Device~~ A device for recording information by writing marks in a track on a record carrier via a beam of radiation, the device comprising

[[-]] a head ~~for providing~~ configured to provide the beam,

[[-]] a radiation ~~control means for controlling~~ controller configured to control the beam to write the marks in a selected part of the track, the marks having a main mark intensity and a mark length within a predefined range of mark lengths, and

[[-]] a secondary radiation ~~control means for controlling~~ controller configured to control the beam to write secondary marks in the same selected part of the track, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,

wherein the secondary radiation controller is adapted to control the beam to create a combination of the marks and secondary marks, and

wherein the marks, located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

2. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is adapted ~~for controlling~~ to control the beam to write only secondary marks in the selected part of the track.

3. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is adapted ~~for controlling~~ to control the beam to write a combination of the marks and the secondary marks ~~during said recording of information~~.

4. (Currently Amended) ~~Device as claimed in claim 3~~ A device for recording information by writing marks in a track on a record carrier via a beam of radiation, the device comprising

a head for providing the beam,

a radiation controller configured to control the beam to write the marks in a selected part of the track, the marks having a main mark intensity and a mark length within a predefined range of mark lengths, and

a secondary radiation controller configured to control the beam to write secondary marks in the same selected part of the track, wherein the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,

wherein the secondary radiation controller is adapted to control the beam to write a combination of the marks and the secondary marks during said recording of information,

wherein the secondary radiation ~~control means are~~ controller is adapted ~~for controlling~~ to control the beam to create the combination of the marks in which marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark, and ~~in particular the difference being such that in~~

wherein a scanning signal ~~a~~ level difference between marks and intermediate spaces is substantially equal at both areas of the track.

5. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is arranged ~~for writing~~ to write the secondary marks by controlling a writing power of the radiation of the beam to secondary level that is substantially lower than a writing power for writing the marks.

6. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is arranged ~~for writing~~ to write the secondary marks by controlling the shape of the beam~~, in particular~~ by an adjustable optical element.

7. (Currently Amended) ~~Record~~ A record carrier carrying information represented by marks in a track, the marks in at least

a part of the track having a main mark intensity and a mark length within a predefined range of mark lengths, and the same part of the track further comprising secondary marks having a secondary mark intensity that is substantially different from the main mark intensity, and the secondary marks having a length substantially longer than mark lengths in the predefined range,

wherein the marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

8. (Currently Amended) ~~Record~~ The record carrier as claimed in claim 7, wherein said different secondary mark intensity is constituted by the secondary marks being effectively narrower than the marks.

9. (Currently Amended) ~~Method~~ A method of recording information by writing marks in a track on a record carrier via a beam of radiation, the method comprising the ~~steps~~ acts of

[[-]] controlling the beam to write the marks in a selected part of the track, the marks having a main mark intensity and mark lengths within a predefined range of mark lengths, and

[[-]] controlling the beam to write secondary marks in the same selected part of the track, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,

wherein the marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

10. (Currently Amended) ~~Method~~ The method as claimed in claim 9, wherein said controlling writing the marks is performed at a first instance in time and writing the secondary marks is performed at a different instance in time during two separate scans of the selected part of the track.

11. (Currently Amended) ~~Device~~ A device for reading information represented by marks and additional information represented by secondary marks from a track on a record carrier via a beam of radiation, the marks having a main mark intensity and mark lengths within a predefined range of mark lengths, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length outside the predefined range of mark lengths, and the marks and the secondary marks being in the same selected part of the track, the device comprising

[[-]] a head ~~for providing~~ configured to provide the beam,

[[-]] a front-end unit ~~for generating~~ configured to generate a scanning signal for detecting marks and secondary marks during said scanning, ~~and~~

[[-]] a read processing unit ~~for retrieving~~ configured to retrieve the information from the scanning signal, and

[[-]] a secondary read unit ~~for retrieving~~ configured to retrieve additional information encoded in the secondary marks from the scanning signal,

wherein marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

12. (New) The device as claimed in claim 1, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

13. (New) The record carrier as claimed in claim 7, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

14. (New) The method as claimed in claim 9, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

15. (New) The device as claimed in claim 11, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.